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Attorney for Petitioner

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

JACK L. EARL, JR.,

Petitioner,

vs.

CRAIG TURNBULL,

Respondent.

Case No. 3:02-cv-0224-HRH

UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO ALLOW  
FILING OF MERIT BRIEF

(Filed on Shortened Time)

Petitioner, Jack L. Earl, Jr., by and through counsel Mary C. Geddes, Assistant Federal Defender, moves this court for an extension of time in which to file his brief on the merits in this matter. The brief is due today. A six-week extension is requested. Mr. Earl agrees with the filing of this motion, and the respondent's counsel, Ken Rosenstein, is agreeable to the continuance.

Counsel agree to continue briefing in this case due to other matters which have prevented Mr. Earl's counsel from working on his brief. Counsel returned to work on July 5,

2006, after an extended leave. In addition to other deadlines, she found she had four oral arguments scheduled before the Ninth Circuit for the week of July 24, 2006. (One of those cases was submitted on the briefs a week before argument.) In one of the Ninth Circuit cases, the Ninth Circuit did not submit the case on the briefs, but has directed the parties to effectuate a speedy resolution if possible. Consequently, the undersigned expects she will spend a great deal of time this coming month in resolving the issue which was raised on appeal. For that reason, Mr. Earl requests a six-week continuance.

DATED this 31<sup>st</sup> day of July 2006.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER  
FOR THE DISTRICT OF ALASKA

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Certification:

I certify that on July 31, 2006, a copy of the foregoing document was served electronically on:

Kenneth M. Rosenstein, Esq.

/s/ Mary C. Geddes